

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER REGARDING DEFECTIVE PLEADING

The Court has received and reviewed the *Opposition to the Debtor's Omnibus Objection "Five Hundred Fourteenth" (Substantive)* (Docket Entry No. 22640 in Case No. 17-3283) (the "Pleading"), filed by Arelis Díaz, CFO, on behalf of ICPR Junior College in response to the *Five Hundred Fourteenth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and the Puerto Rico Highways and Transportation Authority to Claims for Which the Debtors are not Liable* (Docket Entry No. 22251 in Case No. 17-3283) (the "Omnibus Claims Objection") and the objection to Proof of Claim No. 5130 included therein.

The Pleading is defective because it was not filed by counsel to ICPR Junior College. Business entities may not appear in this proceeding without counsel, as they are not natural persons. Rowland v. California Men's Colony, 506 U.S. 194, 202-03 (1993) (explaining

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

that corporations and other artificial entities can only appear in federal court through licensed counsel). Accordingly, the Pleading is hereby stricken. To the extent the Pleading may be construed as an application requesting action by the Court, it is denied.

The Financial Oversight and Management Board for Puerto Rico is ordered to meet and confer with ICPR Junior College as soon as possible to explore resolution of the objection.

ICPR Junior College is granted leave to file a corrected pleading by **November 14, 2022, at 5:00 p.m. (Atlantic Standard Time)**. Despite the October 17, 2022, deadline to respond to the Omnibus Claims Objection, a corrected response received by November 14, 2022, at 5:00 p.m. (Atlantic Standard Time) will be considered a timely response to the Omnibus Claims Objection. The Financial Oversight and Management Board for Puerto Rico shall file a reply (if any) by **November 21, 2022, at 5:00 p.m. (Atlantic Standard Time)**. The hearing on the Omnibus Claims Objection is adjourned solely with respect to Proof of Claim No. 5130 to the Omnibus Hearing scheduled for December 14, 2022, at 9:30 a.m. (Atlantic Standard Time).

SO ORDERED.

Dated: October 20, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge